

30. (Amended) [A method] The program product according to claim 18 further wherein the line-formatted materials are displayed in conjunction with graphical elements.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on July 8, 2002, and the references cited therewith.

Claims 1, 6, 11- 13, 18, 23-25, 28, 29, and 30 are amended, no claims are canceled or added; as a result, claims 1-31 are now pending in this application.

Rejections Under 35 U.S.C. §112

Claims 28-30 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 28-30 have been amended to clarify the claims and are not intended to limit the scope of equivalents to which any claim element may be entitled. The amendments to the claims are fully supported by the specification as originally filed, and no new matter has been added. Applicant respectfully requests reconsideration of claims 28-30.

Rejections Under 35 U.S.C. §103

Claims 1-3, 5, 9, 13-15, 17, 25-26, 29, and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over WordPerfect 6.1 for Windows (hereinafter WordPerfect), released 4/15/1996 by Coral Corporation, screen shots from application, pp. 1-14.

Claims 1, 13, and 25 have been amended to clarify the claims and are not intended to limit the scope of equivalents to which any claim may be entitled. The amendments to the claims are fully supported by the specification as originally filed, and no new matter has been added.

Claim 1 is rejected in the Office Action for four reasons. First, because WordPerfect includes "a customizable feature of applying line numbering to a file." Second, because the

WordPerfect includes a “customizable feature of formatting two or more columns, causing text to flow down a column to the bottom of a page or column break, then start it again at the top of the next column to the right.” Third, because WordPerfect discloses “scrolling from the bottom of one column, to the top of the adjacent column, as evidenced by cursor highlighting direction (or cursor down arrow scrolling).” Forth, applying these customizations as default settings within WordPerfect would have been obvious to one of ordinary skill in the art at the time of the invention.” However, these reasons for rejection have mischaracterized the present invention and fail to recited every element of the claimed invention.

First, the Office Action provides the ability in WordPerfect “of applying line numbering to a file” as evidence of “displaying line-formatted materials on a screen display” as claimed. However, the specification states on page 4, numbered lines 7-14:

“As used herein, the term “line-formatted materials” means any information which is organized as a sequence of lines to be displayed in a descending (or ascending) sequence on a screen display, wherein at least some of the lines are made up at least in part by discrete symbols, such as, but not limited to, alphanumeric characters or graphic icons or pictures. Furthermore, line-formatted materials may be displayed in conjunction with graphic elements that precede or follow the materials, or are displayed side by side therewith. For example, displayed text may wrap around a graphic element.”

This definition does not mention, but is not limited to displaying line numbering. However, this claimed feature of the present invention goes to the displaying of line-formatted materials. Therefore, WordPerfect does not disclose “displaying line-formatted materials on a screen display” as described in the specification and claimed.

Second, the Office Action provides the ability in WordPerfect of a “customizable feature of formatting two or more columns, causing text to flow down a column to the bottom of a page or column break, then start it again at the top of the next column to the right,” as evidence of “lines spill from the bottom of the one column to the top of an adjacent column when scrolling through the line-formatted materials.” The Office Action fails to note that the spilling of text from one column to an adjacent column as claimed occurs when scrolling the text. The WordPerfect reference only discloses static text spanning static columns. The Examiner’s attention is drawn to Figures 3A, 3B, 4L, 4R, 5L, and 5R and specification page 4, numbered

line 28 through page 5, numbered line 5 that recites:

“By scrolling the source code 20 “down,” line 22 and the four lines below it are moved off the top of the display area of column 30, five lines from the top of column 32 are moved to the bottom of column 30, and five new lines are added to the display area 14 at the bottom of column 32. Scrolling the source code 20 “up” produces the opposite effect. Thus, the line 36 at the top of column 32 is always the next sequential line following line 34 at the bottom of column 30. This operation can be defined as spilling lines from the bottom of column 30 to the top of column 32.”

Thus, WordPerfect does not disclose “lines spill from the bottom of the one column to the top of an adjacent column when scrolling through the line-formatted materials” as claimed.

Third, the Office Action provides the ability in WordPerfect of “scrolling from the bottom of one column, to the top of the adjacent column, “as evidenced by cursor highlighting direction (or cursor down arrow scrolling)” as evidence of “when scrolling through the line-formatted materials.” However, “when scrolling through the line-formatted materials” must be taken in context with the text immediately proceeding in the claim. This language cited in the Office Action from claim 1 with respect to this reason for rejection modifies the language immediately proceeding it and discussed in the above paragraph. Therefore, the scrolling as provided in WordPerfect is not the spilling of text scrolling as described in the specification or as claimed.

Forth, the Office Action asserts that applying these customizations as default settings within WordPerfect would have been obvious to one of ordinary skill in the art at the time of the invention. However, as discussed above, WordPerfect does not teach all the “customizations”. Therefore, the present invention cannot be considered obvious as asserted.

Further, the Office Action rejected claim 1 based only on WordPerfect. Applicant respectfully traverses the single reference rejection under 35 U.S.C. § 103 since not all of the recited elements of the claims are found in WordPerfect. Since all the elements of the claim are not found in the reference, Applicant assumes that the Examiner is taking official notice of the missing elements. Applicant respectfully objects to the taking of official notice with a single reference obviousness rejection and, pursuant to M.P.E.P. § 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner either remove the single

reference rejection or cite references in support of this position.

Therefore, because the reference does not teach or suggest all the claim elements as required by M.P.E.P. § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)), Applicant respectfully submits that claim 1 as amended is in allowable form. Claims 13 and 25 contain similar elements as claim 1 and are patentable over WordPerfect for similar reasons. Accordingly, Applicant respectfully requests reconsideration and allowance of amended claims 1, 13, and 25.

Claims 2-3, 5, 9, and 26; 14, 15, 17, and 29; and 31 depend directly on claims 1, 13, and 25 and are patentable over WordPerfect for the reasons argued above, plus the elements in the claims. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. MPEP § 2143.03.

Claims 4 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WordPerfect 6.1 for Windows, released 4/15/1996 by Coral Corporation, screen shots from application, pp. 1-14 as applied to claims 1 and 13 above, and further in view of Edgar (U.S. Patent No. 6,113,394).

Edgar is presented for the purposes of disclosing "a scrolling reading aid, said scrolling and other features subject to voice activations." However, Edgar does not cure the deficiencies of WordPerfect identified above in response to the 35 USC § 103(a) rejection of claim 1. Additionally, claims 4 and 16 directly depend from claims 1 and 13 respectively, which applicant believes are allowable claims. Therefore, because Edgar does not cure the deficiencies of WordPerfect and claims 4 and 16 depend directly on allowable claims, the rejection is not supported. Reconsideration and withdrawal of the of the 35 USC § 103 rejection is respectfully requested.

Claims 6-8, 10-12, 18-24, 27-28, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Truong (U.S. Patent No. 6,151,609), in view of WordPerfect 6.1 for Windows, released 4/15/1996 by Coral Corporation, screen shots from application, pp. 1-14.

Claims 6, 11, 12, 18, 23, and 24 have been amended to clarify the claims and are not intended to limit the scope of equivalents to which any claim may be entitled. The amendments to the claims are fully supported by the specification as originally filed, and no new matter has

been added.

As to claim 6, Truong is presented for the purposes of disclosing a remote editor system utilizing the editing of various text sources within an Internet browser that provides scrolling bars and arrows along with specific editing functions. WordPerfect is presented for the purposes of disclosing the application line numbering and column formatting. However, the references when combined must teach or suggest all of the claim elements. Claim 6 as amended recites:

“A method comprising displaying Scripting language encoded line-formatted materials under the control of a web browser such that the line-formatted materials are displayed under control of the web browser in two or more adjacent columns of a screen display, wherein lines spill from the bottom of one column to the top of an adjacent column, or from the top of one column to the bottom of an adjacent column, when scrolling through the line-formatted materials.”

In contrast, Truong describes a remote editing system utilizing various text sources within an Internet browser edit window that is directionally scrollable. (Truong Abstract, col. 3, lines 40-47; col. 7, lines 1-8; col. 9 lines 13-19; col. 10, lines 45-52). WordPerfect describes a text editor capable of editing various known text files and source code and applying line numbering to a document. (WordPerfect ¶. 7-9) The references do not teach or suggest lines that spill from the bottom of one column to the top of an adjacent column when scrolling through the line-formatted materials. The examiners attention is drawn to the above recited definition from Applicant's specification. Therefore, because the reference does not teach or suggest all the claim elements as required by M.P.E.P. § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)), Applicant respectfully submits that amended claim 6 is in allowable form. Amended claims 11, 12, 18, 23, and 24 contain similar elements as amended claim 6 and are patentable over Truong in view of WordPerfect for similar reasons. Accordingly, Applicant respectfully requests reconsideration and allowance of amended claims 6, 11, 12, 18, 23, and 24.

Claims 7, 8, and 10; 27; 28; and 19-22 and 30 depend, directly or indirectly, on claims 6, 11, 12, and 18 and are patentable over Truong in view of WordPerfect for the reasons argued above, plus the elements in the claims. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. MPEP § 2143.03.

Documents Cited but Not Relied upon for this Office Action

Applicant need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action since these references are not made part of the rejections in this Office Action. Applicant is expressly not admitting to this assertion and reserves the right to address the assertion should it form part of future rejections.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6902 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

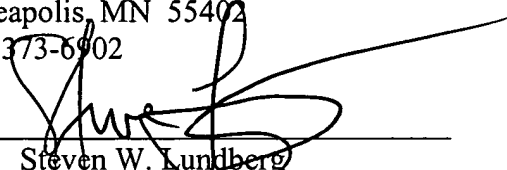
Respectfully submitted,

IGOR SINYAK ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6902

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By 
Steven W. Lundberg
Reg. No. 30,568

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 8 day of October, 2002.

Jane E. Brockschink
Name


Signature